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OFFICE OF PETITIONS

In re Application of :
David S. Moskowitz :
Application No. 10/820,479 :
Filed: March 31, 2004 :
Attorney Docket No. :
60019190-1038 :

This is a decision in response to the petition under 37 CFR 1.137(b), filed November 10, 2005, to revive the above-identified application.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the Notice to File Corrected Application Papers (hereinafter "Notice"), mailed October 4, 2004. The Notice set a two (2) month period for reply. No response having been received, the application became abandoned December 5, 2004. The mailing of this Decision precedes the mailing of a Notice of Abandonment.

With the instant petition, Petitioner has satisfied the requirements of a grantable petition under 37 CFR 1.137(b). The reply to the October 4, 2004 Notice is filed with the instant petition. Accordingly, the petition is granted.

Applicant files a three (3) month extension-of-time request with the instant petition; however, the maximum extendable period available to respond the Notice under 37 CFR 1.136 is five (5) months, or until May 4, 2005. After May 4, 2005, no extensions-of-time were available because the application became abandoned on December 5, 2004, the day after the shortened statutory reply period expired. Thereafter, a petition to revive the application is the appropriate course of action.

A refund of the extension of time fee has been scheduled via treasury check.

This application is being forwarded to the Office of Initial Patent Examination for continued processing in due course.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

A handwritten signature in black ink, appearing to read "Derek L. Woods". The signature is written in a cursive, flowing style.

Derek L. Woods
Attorney
Office of Petitions